

neg.

NAME: Paul Baus

ARIZONA SUPERIOR COURT IN PIMA COUNTY, 110 W CONGRESS ST, TUCSON, AZ 85701
CIVIL DEPARTMENT, ROOM 131A (520) 724-3210

FILED
TONI L. HELLON
CLERK, SUPERIOR COURT
2015 FEB 24 AM 8:54

<u>Paul Baus</u> Plaintiff / Plaintiff Employer (Work Injunction ONLY) Birth Date: <u>2/9/1959</u> Agent's Name (Work Injunction ONLY)	<u>Gina Baus</u> Defendant <u>2055 E VAGUE ST</u> Address <u>SIERRA VISTA AZ</u> City, State, Zip Code, Phone <u>85650</u>	Case No <u>DV 20150365</u> [This is not a court order.] PETITION for <input type="checkbox"/> Order of Protection <input type="checkbox"/> Injunction Against Harassment <input type="checkbox"/> Workplace Injunction
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DIRECTIONS: Please read the Plaintiff's Guide Sheet before filling out this form.

1. Defendant/Plaintiff Relationship: ☒ Married now or in the past ☐ Live together now or lived together in the past
☐ Child in common ☐ One of us pregnant by the other ☐ Related (parent, in-law, brother, sister or grandparent)
☐ Romantic or sexual relationship (current or previous) ☐ Dating but not a romantic or sexual relationship
☐ Other: _____
2. ☐ If checked, there is a pending action involving maternity, paternity, annulment, legal separation, dissolution, custody, parenting time or support in Coconino County Superior Court,
Case #: D201500109 (COUNTY)
3. Have you or the Defendant been charged or arrested for domestic violence OR requested a protective order?
☐ Yes ☐ No ☐ Not sure
If yes or not sure, explain: _____
4. I need a court order because: (PRINT both the dates and a brief description of what happened.)

Tell the judge what happened and why you need this order. A copy of this petition is provided to the defendant when the order is served. (Do not write on back or in the margin. Attach additional paper if necessary.)

Dates

	<u>SEE ATTACHMENT</u>

BEST COPY

OV 20150365

1/13/2014	Gina was drunk, as usual, and began calling loser, ugly, and many other names. I turned on my phone to record her. She got more angry & jumped on me to take my phone away. She maneuvered behind me. As I had my phone in my hand, she cut my arm with a sharp object, I believe to be a key or knife. I then let go of the phone & she left. I documented the incident w/ the VA hospital because my arm needed attention. My son was in the room.
6/7/2014	Gina was drunk again and slugged me in the nose, causing blood and bruising. I locked myself in master bedroom. She was able to open the door while I was typing a message to the VA secured message for crisis intervention. I tried to get up from bed to retrieve my phone but Gina would not let me pass. She then grabbed my computer & flung it to the floor, breaking it. I then grabbed my phone & went to the spare bedroom & put furniture in front of the door. She came down to the room, managed to push the dresser & knock off clock, breaking it & began calling me names again. this was all documented with the VA

12/19/2014 Gina was again drunk and had one of her manic moments. Cameron had fallen asleep in the spare room with me. We had read a book and were watching a program. ~~Gina~~ Gina stated is Cameron in there with you? I said yes. She then began banging through the door breaking a table that was in front of it. Cameron was still asleep. Gina then said "daddy is trying to hurt you" Cameron woke up & heard this and began crying. I asked Gina to stop & she got more vocal. I let Cameron out of the room and documented this incident. While she was yelling at Cameron she was calling me loser, disgusting, psycho, creep - all in front of ~~our~~ son. She spilled her wine on the carpet during her rage.

1/9/2015 Gina was again drunk. I was in the spare bedroom. Earlier she had spanked Cameron hard enough to make him cry & sent him to his room. She then came into the spare room & began calling me psycho, sick, ugly. I recorded the conversation on my phone & documented the incident through ~~the~~ the VA. The following day I walked out to my Mercedes GL63 (2014) & Gina immediately told me I had a flat tire. As I began to pump it up, I noticed the tire wouldn't hold air because there was an ~~1~~ 1" slice in the tire. I took the tire to Discount Tire who confirmed it was a knife slice. I reported the incident to the Cochise County Sheriff & provided them with the audio & video & discount tire statement. Gina was the only person that had access to my car that night. The tire cost \$425.

2/15/2015 Gina was drunk again. Spank Cameron again & made him cry. I sent her an email which stated effects of ~~the~~ spanking has on children. She was upset & sent me the email & told me I was ugly inside & out & she can't forget me out of her life. The only reason she is still married to me is because of the children. She again said I was ugly & nobody would ever want me. "You just need to just kill yourself so that I don't have to deal with you any longer". This was immediately

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Narrative

COCHISE COUNTY SHERIFF'S DEPARTMENT
Narrative Report

DISTRIBUTION: CCSD Records, Bisbee

SYNOPSIS: On 1-9-15 Paul Randall Bays reported the right rear tire on his 2014 GL83 Mercedes had been slashed some time between 2100 hrs on 1-8-15, and 0730hrs, on 1-9-15. The vehicle was parked inside Paul's locked garage at 2055 E. Yaqui Street Sierra Vista, which is located within a gated area. Only Paul Bays, his wife Gina Bays, and their 6 year-old son had access to the vehicle inside the locked garage.

This is in violation of A.R.S. 13-1602 Criminal Damage
possible violation A.R.S. 13-3601/13-1602 Domestic Violence Criminal Damage

NARRATION: On 1-9-15 at approximately 1420 hrs, Paul Randall Bays came into the Sierra Vista Sheriff's Office to report some criminal damage to his 2014 GL80 Mercedes. According to Paul the right rear tire on his Mercedes was slashed with a knife or sharp instrument while parked at his residence inside his locked garage. Paul said only he, his wife, and 6 year-old son had access to the vehicle inside the garage. Paul knew this because the garage was secure, and in the same condition when Paul parked the vehicle on 1-8-15.

Paul advised on 1-8-15 he had flowers delivered to his wife, Gina. At approximately 1930 hrs, that same evening, he noticed the flowers in the trash outside the residence. When Paul asked about the flowers, and what was wrong, Gina told him she was upset with him over him contacting her sister. Paul did not want to argue with her, and went to watch TV in the guest room. At approximately 2100 hrs, Paul said Gina came in and started saying nasty things to him. Paul said he recorded the conversation using his cell phone, and Gina tried to take the cell phone from him. Paul said, Gina finally left the room, and he blocked the door with a heavy cabinet/dresser to keep her from returning. Paul stayed in the guest room for the evening, and had no further conflict with Gina.

Paul played the recording from his cell phone, which indicated it was recorded on 1-8-15. I heard a woman's voice, which Paul identified as his wife Gina. The woman's speech sounded slurred, and she was saying "Randy stop, get away from me". "Don't hurt me, Randy". I heard a man's voice, which Paul identified as himself, saying "Gina, get out of here, just go". Then I heard the female say "I should have never married you, you are so ugly". I was unable to make out everything that was said, neither were speaking loud or yelling it did not sound like a fight. The female sounded like she was intoxicated, speaking slowly and slurring her words, and the male was speaking with a calm sounding voice. Paul also showed me two photos that show a dresser blocking a door. One of the photos show part of a TV on the wall, and Paul indicated the image on the TV showed the U of A game.

According to Paul, on 1-9-15 at approximately 0730 hrs, he went out to the garage to his Mercedes preparing to drive his son to school. Gina was also in the garage, and pointed out to Paul, his car had a flat tire. Paul attempted to inflate the tire, then realized a cut on the side wall of the tire. Paul subsequently took the tire to Discount Tire. Discount Tire advised the tire

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appeared to have been cut with a knife or sharp object, and could not be repaired. Paul purchased a new tire through Discount Tire for \$425.00.

Paul said he told Gina he was going to report the damage to the Sheriff's Office, and she denied any knowledge of how the tire was damaged. Paul said he did not damage his own tire, and could not say Gina was responsible. Paul did say he was sure the vehicle was inside the locked garage, with only him and Gina having access to it.

On 1-22-15 I spoke with Gina Bays about the damage to their vehicle. According to Gina, the Mercedes belonged to her and her husband, but was the vehicle she used mostly as her own vehicle. I asked Gina what she knew about the damage to her vehicle. Gina said she had no idea how the tire was flattened on her vehicle, but said their garage was left open for more than an hour on the evening of 1-8-15.

Gina said they were planning to trade the vehicle in on a new vehicle, so they hadn't been driving it a lot. Gina said no one had driven the Mercedes in about a week. Gina recalled on 1-9-15 at about 1800 hrs, walking through the house, and noticing the garage was open. At the time Gina did not think anything of it, because her husband had left in another vehicle to pick up dinner, and she knew he would be returning soon. Gina said her husband was gone for approximately an hour and a half, and she could not confirm whether or not he closed the garage upon returning home.

Other than her garage being open the evening before, Gina said she could not think of anything suspicious that occurred. Gina said her husband was an attorney, and she was sure there were people who did not like him. Gina also said they had some problems in the past with a boy in the neighborhood opening their gates, but she did not want to speculate on who may have been responsible.

There is no further information, or leads at this time. Any leads or information developed in the future will be documented in a supplemental report.

STATUS: Active Dead File

ATTACHMENTS: photos of residence and vehicle from victim (5)
Witness Statement (P. Bays)
Discount Tire invoice (2)
Stolen / Damaged / Lost / Found Property List
Victim's Right's Form #C378793

MVR: N/A

DIGITAL IMAGES: None

AUDIO RECORDINGS: None

Reporting Officer: Deputy W. Adney 9722 Sun Jan 25 13:42:15 MST 2015

Date, Time, Reviewed By: Deputy W. Adney 9722 Thu Feb 05 19:16:04 MST 2015

COCHISE COUNTY
SHERIFF'S OFFICE
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520 459 4647

BAYS LAW

05:32:46 p.m. 02-04-2015

1/2



BAYS LAW PC

P. RANDALL BAYS

Attorneys at law

100 South 7th Street

Sierra Vista, Arizona 85635

(520) 459 2639

facsimile (520) 459-4647

DV 2 1 J365

FACSIMILE TRANSMISSION COVER SHEET

DV 2015036

To:

Records - CCSO

Fax #:

432-3517

From:

Bays Law

Date:

2-4-15

Subject:

Case # 15-00411

Pages including cover:

2

MESSAGE:

THANKS

4pgs

~~Left message~~
~~Report not ready~~

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520 459 4647

BAYS LAW

05:32:57 p.m. 02-04-2015

2/2



Bays Law, PC

Attorney at Law

100 S. Seventh St. • Sierra Vista, Arizona 85635

Email: rbays@bayslaw.com

Website: www.bayslaw.com

February 4, 2015

Phone: (520) 459-2639

Fax: (520) 459-4647

COCHISE COUNTY SHERIFF'S DEPARTMENT
205 N JUDD AVENUE
BISBEE, ARIZONA 85603

DV 20150365Re: **Paul R. Bays**Date of Incident: **January 9, 2015, Case No. 15-00411**

Dear Records Clerk;

Pursuant to A.R.S. § 39-101 et seq., BAYS LAW P.C., hereby requests a copy of any and all products of data compilation such as books, papers, maps, photographs, audio tapes, video tapes, machine or computer readable materials, regardless of physical form, format or characteristics, made or received by your agency, including all records reasonably necessary or appropriate to maintain an accurate knowledge of official activities and of any activity which is supported by funds from the state or any political subdivision thereof, including police or other agency investigative reports. *KPNX-TV v. Superior Court in and for County of Yuma*, 183 Ariz. 589 (App. 1995). The public may inspect and copy governmental records under the State's open records law "without limitation as to the reason or reasons for which the inspection is undertaken." *Bolm v. Custodian of Records of Tucson Police Department*, 193 Ariz. 35, 39, ¶ 10m 969 P.2d 200, 204 (App. 1998).

I certify that this request is for a legal purpose (potential claim, defense or other pleading) and NOT for a commercial purpose.

Specifically, I request a copy of the following relating to the above-referenced incident:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Police Reports and Supplements | <input checked="" type="checkbox"/> Incident Scene Photos |
| <input checked="" type="checkbox"/> Investigative Reports | <input checked="" type="checkbox"/> Statements/ Recordings of witnesses |
| <input checked="" type="checkbox"/> Individual Police Records/ Notes | <input type="checkbox"/> Video/Audio Tape- date _____ |
| <input type="checkbox"/> Dispatch Log-date _____ | <input type="checkbox"/> Lab/Intoxilyzer Records |
| <input type="checkbox"/> Dispatch Tape-date _____ | <input type="checkbox"/> Reporting Officer's HGN Logs for last 6 months |
| <input type="checkbox"/> Radio Operation Log _____ | |
| <input type="checkbox"/> 911 Tape-date: _____ time: _____ | |

Pursuant to A.R.S. § 39-121.03, in reproducing these records, I understand that I will be charged a reasonable fee and agree to pay such fee for such copies, printouts or photographs, as well as for time, equipment and personnel in producing such reproduction upon delivery of such documents and upon presentment of a written invoice detailing the fee to be paid.

Very truly yours,

BAYS LAW, P.C.

P. Randall Bays

/dlc

DV 20150365

Case No. _____

5. The following persons should also be on this Order. As stated in number 4, the Defendant is a danger to them:

<u>Cameron Bays</u>	<u>(3/19/08)</u>	<u>() / () / ()</u>
	Birth Date	Birth Date
<u>Gianna Bays</u>	<u>(7/15/13)</u>	<u>() / () / ()</u>
	Birth Date	Birth Date

6. Defendant should be ordered to stay away from these locations, at all times, even when I am not present:

☒ Home 2055 E YAQUI ST SIERRA MISTA AZ 85635
☒ Work 100 S 7th Street, SV AZ 85635
☒ School/Others All Saints Catholic School, SV AZ 85650
The Learning Tree Bldg SV AZ

7. ☐ If checked, because of the risk of harm, order the defendant NOT to possess firearms or ammunition.

8. ☒ If checked, order the Defendant to participate in domestic violence counseling or other counseling. This can be ordered only after a hearing of which Defendant had notice and an opportunity to participate.

9. Other: I want Gina to have a loving relationship with the children, but she needs to be evaluated & enter therapy

Under penalty of perjury, I swear or affirm the above statements are true to the best of my knowledge, and I request an Order / Injunction granting relief as allowed by law.

Plaintiff

Attest

Judicial Officer / Clerk / Notary

Date